

Art Unit: 3621

DETAILED ACTION

Acknowledgements

1. The USPTO's Board of Patent Appeals and Interferences ("Board") decision mailed November 16, 2009 ("2009 Board Decision") is acknowledged.
2. In the 2009 Board Decision at page 19, the Board concluded
 - a. The appeal as to claims 36-45 is dismissed.
 - b. The rejection of claims 46-62 under 35 U.S.C. § 112, second paragraph, is reversed.
 - c. The rejection of claims 46, 48-55, and 57-62 under 35 U.S.C. § 103(a) is affirmed.
 - d. The rejection of claims 47 and 56 under 35 U.S.C. § 103(a) is reversed.

Allowable Subject Matter

3. The Board affirmed the rejections against independent claims 46 and 55, but reversed all rejections against claims 47 and 56 dependent thereon. There are no allowed claims in the application. The independent claims are cancelled by the Examiner in accordance with MPEP § 1214.06. Applicant is given a ONE MONTH TIME PERIOD from the mailing date of this letter in which to present the dependent claims in independent form to avoid ABANDONMENT of the application. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED. Prosecution is otherwise closed.

Art Unit: 3621

4. Any inquiry concerning this communication should be directed to ANDREW J.

FISCHER at telephone number (571)272-6779.

ANDREW J. FISCHER

SPE

Art Unit 3621

/ANDREW J. FISCHER/

Supervisory Patent Examiner, Art Unit 3621